HON'BLE MR JUSTICE A. GOPAL REDDY

WRIT PETITION NO.6235 OF 2000

DATE:03.04.2006

Between:

Hanuman Vyas

..... PETITIONER

AND

The State of A.P. through its
Secretary (Home) Courts B.Dept.,
Secretariat Buildings, Hyderabad &
Two others.

.....RESPONDENTS

HON'BLE MR JUSTICE A. GOPAL REDDY

W.P. No.6235 OF 2000

ORDER:

By means of filing this Writ Petition under Article 226 of Constitution of India, the petitioner seeks a writ of Mandamus to declare the order, dated 3.6.1999 passed by the third respondent in Case No.204 of 1988 under Section 6-A of the Essential Commodities Act, 1955 (for short 'the Act') ordering confiscation of 70 per cent of the value of the seized stock, as arbitrary and illegal and consequently to direct the first respondent to pass necessary orders appointing the appellate authority under Section 12-A of the Act.

Pending the writ petition, petitioner obtained interim stay of all further proceedings including the confiscation of 70 per cent of the value of the seized stocks. Now, as the Special Judge has been notified as appellate authority, it is for the special Judge to proceed with the appeal being E.C. Appeal No.56 of 1999 filed by the petitioner under Section 6-C of the Act and hence, no cause survives in this Writ Petition. The interim stay granted by this Court in W.P.M.P.No.8243 of 2000, dated 7.4.2000 is hereby vacated.

Accordingly, the Writ Petition is dismissed. The Special Judge for the trial of cases under Essential Commodities Act-cum-III Additional Metropolitan Sessions Judge, Hyderabad is hereby directed to dispose of E.C. Appeal No.56 of 1999 as expeditiously as possible. No costs.

A. GOPAL REDDY, J

3rd APRIL, 2006.

Note: Office is directed to communicate a copy of this Order to the Special Judge for the trial of cases under E.C.Act-cum-III Additional Metropolitan Sessions Judge, Hyderabad.
(B/o)
Tsr